## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

| UNITED STATES OF AMERICA, | ) |                         |
|---------------------------|---|-------------------------|
| Respondent/Plaintiff,     | ) |                         |
| vs.                       | ) | No. 3:00-CR-0266-K (13) |
|                           | ) | No. 3:04-CV-2714-K      |
| FRANCISCO PENA,           | ) | ECF                     |
| ID # 89166-079,           | ) |                         |
| Movant/Defendant.         | ) |                         |

## ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

SO ORDERED.

SIGNED this 23<sup>rd</sup> day of July, 2007.

ED KINKEADE

UNITED STATES DISTRICT JUDGE

Kinkeade